

Ukraine's Elections: The Forces In Play (II)

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1. Despite contradictory developments and several promising ones, the possibility of a violent outcome has increased within the past few days. The convening of separatist assemblies in three eastern *oblasti* (regions) is an ominous development, less indicative of a genuine separatist threat than a made-to-order pretext for the forceful suppression of Viktor Yushchenko's followers. As of 23.00 Kyiv time 29 November, there were several unconfirmed reports that 12-20,000 police, Interior and special purpose forces were trying to enter/had entered the centre of Kyiv or that they were approaching the city.

2. On 25 November, the Ukrainian Supreme Court declared that it had decided to accept an appeal from Yushchenko and adjudicate on the legality of the elections, until which time the results would have no legal standing.¹ On 26 November, an EU brokered mission conducted joint discussions with President Kuchma, Prime Minister Yanukovich and Viktor Yushchenko.² On 27 November, a considerable majority of the *Verkhovna Rada* (Ukrainian parliament) declared the election result illegal.³ This train of events has accelerated defections from the Yanukovich camp (including, most suspiciously, Yanukovich's campaign manager and National Bank chairman, Serhiy Tyhypko).⁴ Additionally, components of Kyiv based Ministry of Interior forces declared their support for Yushchenko. So have former Minister of Defence Yevhen Marchuk and six generals of the SBU, Ukraine's Security Service.⁵

3. Against this backdrop, the Kharkiv regional legislature declared (26 November) that it would adopt self-rule and establish control over military forces on its territory before accepting orders from the 'extreme right wing' authority of Yushchenko. On 29 November, a 'Northern Donetsk All-Ukrainian Congress of Peoples Deputies and Deputies from All Levels' convened near Luhansk. The latter assembly was attended not only by Prime Minister Yanukovich, but by the Mayor of Moscow, Yuri Luzhkov, a major investor in Crimea, who has long fostered separatism there and a hard, 'chauvinistic' approach towards the country as a whole. Both assemblies carefully stopped short of declaring secession.

4. Despite real divisions in the country, these developments, unlike those in central and western Ukraine, are orchestrated from the top. Ukraine's regional governors are not elected, but appointed by the president, power is wielded effectively, and civil society is muzzled. Whilst the threat of secession serves local interests, actual secession does not. Kharkiv's authorities feel threatened by the 'Donetsk clan' of Yanukovich-Akhmetov, as do those of Dnipropetrovsk, who do not support secession. Akhmetov is in sharp competition with Russian business interests, and he certainly understands that a secessionist entity would be almost

totally dependent upon Russia. The pro-Yanukovych southern regions oppose secession, and the Autonomous Republic of Crimea (the one region where separatist sentiment is found) has only raised the issue of 'autonomy' (which is consistent with its current constitutional status). For these reasons, many suspect that the latest developments serve a Russian scenario rather than an eastern Ukrainian one.⁶

5. President Putin's calculations remain a critical variable. Thus far, his policy has been based upon a combination of deliberation, delusion and guile, all underpinned by compelling geopolitical interest. These interests far outweigh any gains that might be achieved by honest collaboration with third parties. Putin's greatest delusion, endemic to the circles who advise him, is the underestimation of Ukrainian national consciousness and civil society. Deliberation, reflected in the intimate involvement of Russian 'political technologists' in Ukraine's electoral fraud, has run into the buffers of these delusions. Now the Kremlin fears that events are moving out of its control ('we have dropped out of the circle of active players').⁷ To regain control, it is necessary to change the game. Secession, the means to this end, launches a new game.

6. If this conclusion is correct, then both Kuchma and Putin will shift the ground of discussion from democracy and legality to the right of Ukraine's authorities to 'hold the country together'. Kuchma, a weak but infinitely supple figure, has already done this. On 29 November, he declared secession 'unacceptable under any circumstances': a formula designed (even in the face of a Supreme Court ruling) to provide legitimacy for a forceful solution. Western governments should be wary of adopting this language, thereby giving credence to a largely fabricated scenario and inadvertently providing legitimacy to a course of action that we earnestly seek to prevent.

ENDNOTES

¹ The hearings, which began on 29 November, are being conducted by the civil branch of the court, which consists of respected judges thought to be independent of presidential patronage and pressure.

² The mission comprised Javier Solana (EU High Representative for the Common Foreign & Security Policy), Jan Kubis (Secretary General of the OSCE), Alexander Kwasniewski (President of Poland), Valdas Adamkus (President of Lithuania) and Boris Gryzlov (Chairman of the Russian State Duma and Putin's Special Representative). The Ukrainian participants comprised President Kuchma, Prime Minister Yanukovych, Viktor Yushchenko and Volodymyr Lytvyn (Chairman of the Ukrainian Parliament).

³ The first of eleven resolutions, approved by 307 of 391 deputies present (out of 450), declared that the elections did not convey 'the general will' of the voters. The second resolution expressing lack of confidence in the Central Electoral Commission received 270 affirmative votes.

⁴ Tyhypko has a reputation for inordinate ambition and for sharp and unprincipled relationships with allies as well as adversaries. He also has a murky past. At the same time, he is a skilful operator and a very able economist with an aura of pragmatic modernism and favourable image in some Western financial circles. Like many who have risen to prominence in the Ukrainian and Russian financial communities, he has a strong *Komsomol* (Communist Youth League) background, and many have questioned how he emerged almost overnight from an individual of modest means into a multi-millionaire. Albeit a long-standing rival to Yushchenko, Kuchma has distrusted him, possibly owing to his back channels to Russian political and financial circles, and he declined to support his candidature to the premiership after Yushchenko's dismissal in April 2001. Given this

pattern, it is possible that Tyhytko is preparing the ground to be the regime's 'compromise' candidate if a third round of elections takes place and Yanukovich is forced to drop out.

⁵ These include General Skybynetskiy, adviser to SBU Chairman Ihor Smeshko (but now without line responsibilities), General Skipalskiy (adviser and a former Deputy SBU Chairman) and four other unnamed general officers. Whether these are serving officers, advisers or retired officers is not indicated. For his part, General Smeshko has stated: 'I rule out any use of force against our own people. The SBU states again that it will not interfere in political processes'. This posture of studied neutrality has made it possible for SBU officers sympathetic to the opposition to provide it with some timely intelligence. Yet there is no open source indication thus far that the SBU has withdrawn intelligence, security and communications support from the President, Presidential Administration and government.

⁶ It is still unclear what role, if any, Russian *spetsnaz* might play in this scenario or others. Earlier reports of their presence are given credence by a carefully detailed compilation of eye-witness accounts in the respected Russian newspaper, *Kommersant*, on 29 November. The paper reiterates earlier reports that one mission of an estimated 800 troops is to exfiltrate presidential, governmental and SBU documents to Russia. The article contains highly specific but sporadic accounts of landings and surface movements of detachments and 'traces' [*sledy*] of 'Vityaz' special purpose Interior Ministry forces at Gosmotel aerodrome (near Irpin), Vasilkov military aerodrome near Kyiv and Kyiv Boryspil International Airport.

⁷ The view of Alexei Makarkin, Deputy General Director of the Political Techniques Centre, Moscow, (*Gazeta*, 29 November). Other Russian analysts convey an atmosphere of confusion, setbacks, redeployment of forces, rethinking of tactics and a determination to fight from new positions. According to the respected geopolitician, Aleksandr Dugin, whose views are regarded sympathetically by the Kremlin, 'a war must be avoided to the last possible moment. If this becomes impossible, the war must be won' (*RIA Novosti*, 29 November).

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